

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

RICARDO JALIL

Plaintiff,

v.

STATE OF NEW JERSEY

Defendant.

:
:
:
:
:
:
:
:
:
:
:

Civ. No. 10-5283(DRD)

OPINION

The present proceeding has its origin in a complaint that Plaintiff, Ricardo Jalil filed in 1986 charging that Defendant Avdel Corporation discharged him on October 30, 1985 in retaliation for his having filed charges of national origin discrimination with the Federal Equal Employment Opportunity Commission and with the New Jersey Division on Civil Rights. The Court granted summary judgment in favor of Avdel. The Court of Appeals reversed in part, Jalil v. Avdel Corp., 873 F. 2d 701 (3d Cir. 1989). At trial after remand an eight person jury was unable to agree upon a verdict, and it was ultimately ascertained that it had split irreconcilably 4 to 4. Thereafter, against the advise of his attorney and inquiry by the Court, Plaintiff insisted that he did not wish to have his case heard by another jury and asked that the Court decide both the federal and state claims. On October 4, 1991 the Court found that Plaintiff's filing of a complaint with the EEOC or with the New Jersey Division of Civil Rights was not a determinative factor in Avdel's decision to terminate Plaintiff's employment and entered judgment for Avdel.

Plaintiff, not having prevailed on an appeal, has refused to accept that judgment and during the ensuing years has instituted many proceedings and filed countless documents challenging it, all of which have been denied or dismissed.

The most recent such proceeding was a complaint filed on October 13, 2010 against the N.J. Secretary of State, the State of New Jersey; Arnold M. Stern, Judge of the Superior Court; the U.S. Government; and Avdel Corp. On October 29, 2010 the Court denied Plaintiff's application to proceed in forma pauperis. On November 8, 2010 and December 6, 2010 the Court denied Plaintiff's motion to reconsider the denial, and on December 8, 2010 the case was terminated on the records of the Court.

On March 30, 2011 Plaintiff filed a "Notice of Motion - Discovery." It stated in part: "PLEASE TAKE NOTICE that on April 7, 2011, at 9:45 A.M. in the forenoon or as soon thereafter as SPECIAL MASTER may be heard, the undersigned pro se, Ricardo Jalil claimant shall move before the U.S.D.C. of Newark, N.J. 50 Walnut St. for an order of new discovery and to amend its complaint." This notice of motion bore two docket numbers: 10-5283 (the complaint as to which the Court denied in forma pauperis filing and terminated) and 86-4878 (Plaintiff's 1986 complaint against Avdel Corporation on which the Court issued a judgment in favor of Avdel on October 4, 1991).

On March 30, 2011, the same day that Plaintiff filed his Notice of Motion - Discovery, the Court issued an order requiring that Plaintiff show cause in writing on or before April 21, 2011 why the complaint bearing Civil Docket No 10-5283 should not be dismissed for lack of jurisdiction and/or for failure to state a claim upon which relief can be granted.

On April 8, 2011, presumably in response to the order to show cause, Plaintiff filed "Verification Complaint" captioned in Civil Actions 10-5283 and 86-4878, in which he again advanced his employment discrimination claim against Avdel and in which he charged that a "second event was fabricated by Avdel Corp. in which I was 'Blind Trust'. Avdel was 'mislead,'

‘cheat,’ ‘misrepresentation,’ ‘infringement,’ ‘corruption,’ ‘abuse,’ ‘misappropriation’ and someone took advantage of this second event.”

The employment discrimination claim was finally decided long ago. The “second event” claim fails to state a cause of action; Plaintiff has not paid a filing fee, and the Court has denied him leave to proceed in forma pauperis. The 10-5283 case was terminated on December 8, 2010. There is no pending action in which Plaintiff can file papers, and consequently all his communications with the Court subsequent to December 8, 2010 shall be stricken. The Court will file an appropriate order.

April 26, 2011

s/ Dickinson R. Debevoise
DICKINSON R. DEBEVOISE
U.S.S.D.J.